IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 26TH JUNE 2007 / 5TH ASHADHA 1929

Bail Appl..No. 3840 of 2007()

CRIME NO.191/07 OF PAYYANNUR POLICE STATION

PETITIONER: ACCUSED NOS. 1 TO 4:

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1. RAFEEK C.P., S/O.AZEEZ, AGED 29 YEARS, CHEMMARAMKAYYIL HOUSE, VADAKKUMBAD.

2. PARVESH S/O. ABDUL SALAM, AGED 24 YEARS, CHENODATH MADATHIL HOUSE, VADAKKUMBAD.

3. AMEEN, S/O.AMMER, AGED 23 YEARS, MAVULLIYIL NADUVILE PURAYIL HOUSE, VADAKKUMBAD.

4. SIDDIQ C.K., S/O. MOIDEEN, CHEMMARAMKAYYIL HOUSE, VADAKKUMBAD.

BY ADV. SRI.P.M.HABEEB

RESPONDENTS:

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1. STATE OF KERALA , REPRESENTED BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE, PAYANNUR POLICE STATION.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 3840 of 2007

Dated this the 26th day of June, 2007

ORDER

Application for regular bail. The petitioners are accused 1 to 4. They face allegations, inter alia, under Sec.307 and 324 read with Sec.149 of the IPC. This is the third application filed by the petitioners. The alleged incident took place on 2/5/07. The petitioners were arrested on 7/5/07. They continue in custody from that date.

2. This application is opposed by the learned Public Prosecutor who submits that permitting the accused persons to move around the locality would cause serious challenge to the law and order situation. I take note of the submission; but I am satisfied that the petitioners, who have been continuing custody from 7/5/07, can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) The application is allowed.

(b) The petitioners shall be released on bail on the following terms and conditions:

(i) The petitioners shall execute bonds for Rs.50,000/- each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) They shall not, until further orders, enter the Sessions Division of Thalassery except for the purpose of complying with condition No.(iii) below.

(iii) The petitioners shall make themselves available for interrogation before the Investigating Officer on all Mondays between 10 a.m. and 12 noon until further orders.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge